

REMARKS

Claims 1-22 are currently pending in this application. Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Summary of Rejections:

Claims 1-17 and 19-22 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2006/0031768 to Shah et al. (hereinafter “Shah”).

Claim 18 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shah in view of what was allegedly well known in the art.

Discussion of claim Rejections:

In the “Response to Arguments” section of the pending Office Action, the Examiner argues that (a) Shah teaches the virtual device has data, such as geographical location of the device, that is communicated from the physical device, and (b) Shah teaches dragging and dropping a program icon from one virtual device to another virtual device, which allegedly constitutes synchronizing one virtual device with another. See Office Action dated November 7, 2008, Page 2. Applicant respectfully disagrees with the Examiner’s interpretations of the disclosure of Shah as it relates to the pending claims and, therefore, traverses these rejections for at least the reasons that follow.

As to Examiner’s argument (a) above, the Examiner correctly acknowledges that the geographic location of the remote device that is displayed next to the virtual icon constitutes data corresponding to the physical device. Applicant respectfully disagrees. There are no teachings or suggestions in Shah that each virtual device includes the data stored within the respective corresponding physical device, as recited in pending claim 1. As further supported by, for example, paragraph [0032] of the originally filed specification, based on the principles of the embodiments of the present invention, the system actually “maintains a copy of the data of every device of the user in the network.” In contrast, Shah discloses that a physical device may send information about where it is located (e.g., Austin versus San Jose) to be

displayed on the configuration diagram. See Shah, paragraph [0206]. However, there are no teachings or suggestions in Shah that this data is stored within the remote device.

As to Examiner's argument (b) above, Shah's "drag and drop" method of copying a file from one location to another is an entirely different operation than "synchronizing the virtual device with one or more other virtual devices" that is recited in pending claim 1. For example, unlike embodiments of the present application, Shah requires a user's affirmative actions in dragging and dropping a program icon from one device to another. See Shah, paragraphs [0174] to [0175] and Figures 11-12. In contrast, the originally filed specification of the present application further supports, in paragraph [0044], for example, that synchronizing, as recited in pending claim 1, does not require user action:

"[0044] ... For instance, the user can change the number of her voice mailbox or other settings. These settings must also be synchronized to other devices. With the Virtual Device Domain that happens automatically, without the user having to realize that synchronization is needed." (emphasis added).

Therefore, Shah's drag-and-drop copying of a program icon from a source device to a destination device does not constitute synchronizing the virtual device with one or more other virtual devices that is recited in pending claim 1.

As such, Shah fails to teach or suggest at least the above-noted features of pending claim 1. Accordingly, claim 1 is patentable. Claims 6, 9 and 20 recite similar features as claim 1. Accordingly, claims 6, 9 and 20 are patentable for similar reasons as noted above in connection with claim 1.

As to claims 2-5, 7-8, 10-17, 19 and 21-22, these claims each depend, either directly or indirectly, from one of allowable claims 1, 6, 9, or 20 and are, therefore, patentable for at least that reason, as well as for other patentable features when these claims are considered as a whole.

The Examiner has further rejected claim 18 under 35 U.S.C. § 103(a) for being allegedly unpatentable over Shah in view of what was well known in the art. Applicant respectfully disagrees with the Examiner, as claim 18 depends directly from allowable claim

9, and is therefore patentable for at least that reason, as well as for other patentable features when this claim is considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date: January 7, 2009

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